

To: Elliott, Ross[Elliott.Ross@epa.gov]; ORCR IO[ORCR_IO@epa.gov]; Devlin, Betsy[Devlin.Betsy@epa.gov]
Cc: Fitz-James, Schatzi[Fitz-James.Schatzi@epa.gov]; Kirkland, Kim[Kirkland.Kim@epa.gov]; Kelly, PatrickM[Kelly.PatrickM@epa.gov]
From: Ames, Jeremy
Sent: Tue 8/11/2015 2:03:27 PM
Subject: RE: Request to staff the HQ EOC for Abandoned Mine Release into Animas River today

Here was the final response that was sent:

On the general state of tailings dams and mines. How many such storage facilities are there across the country? How does the EPA monitor the maintenance and condition of mines and dams that are holding contaminated water? Are abandoned mines, like Gold King, monitored?

EPA routinely monitors hardrock mine sites that are placed on the Superfund National Priorities List (NPL). However, EPA does not maintain records of the number of mines or tailings dams in the US. Tailings dam safety falls under the jurisdiction of State Dam Safety Agencies, and the Federal Land Management Agencies (e.g., Bureau of Land Management, Fish and Wildlife Service, National Park Service and the Forest Service) that have jurisdiction for monitoring the dams on federal lands. EPA does investigate or respond to incidents that are brought to our attention. In August 1994, the EPA report entitled "Technical Report: Design and Evaluation of Tailings Dams" noted that "EPA estimates that there may be several thousand tailings impoundments associated with active non-coal mining, and tens of thousands of inactive or abandoned impoundments."

From: Elliott, Ross
Sent: Tuesday, August 11, 2015 9:23 AM
To: ORCR IO; Devlin, Betsy
Cc: Fitz-James, Schatzi; Kirkland, Kim; Ames, Jeremy; Kelly, PatrickM
Subject: FW: Request to staff the HQ EOC for Abandoned Mine Release into Animas River today

We will wait and see whether we are needed to staff EOC. Dana knows they can reach back to us as needed for now. Let me know if you would like me to proceed differently.

Yesterday I reviewed and felt pretty comfortable approving a response to the press generated largely by OSRTI (reviewed by others, I believe) that Jeremy showed me late Monday. Neither

the question nor the answer implicated RCRA in any way I could see, so the answer was centered on the CERCLA experiences with mines, and answered the question. (Jeremy, can you share the Q and A w/ this group when you get a moment? Thanks). However, from here on out, we will run any of these past you.

Deliberative Process/Ex. 5

From: Tulis, Dana
Sent: Monday, August 10, 2015 9:13 PM
To: Elliott, Ross
Cc: Devlin, Betsy; Kirkland, Kim; Woodyard, Josh
Subject: Re: Request to staff the HQ EOC for Abandoned Mine Release into Animas River today

Thank you for the offer, we will let you know.

Dana S. Tulis

Deputy Office Director

Office of Emergency Management

US EPA

202-564-7938

On Aug 10, 2015, at 3:36 PM, "Elliott, Ross" <Elliott.Ross@epa.gov> wrote:

Hi Dana, we have staff familiar w/ mining waste (e.g., Bevill exemption, structural stability issues) aware and ready should there be any need for reach back; I just wanted to clarify do you need a POC for ORCR on this?

Ross

From: Tulis, Dana
Sent: Monday, August 10, 2015 2:30 PM
To: NICT; NICT CCS
Cc: Cheatham, Reggie; Woodyard, Josh; Canzler, Erica; Hull, George
Subject: Request to staff the HQ EOC for Abandoned Mine Release into Animas River today

Hi folks! The Animas River release is now impacting Regions 6, 8 and 9. As a result, we are activating the HQEOC to help with coordination on messaging (PI0), data review and planning (OW, OSWER, ORD), congressional outreach (OCIR), claims (OECA) and legal issues (OGC). Can each of your affected offices, please provide us with at least one staff contact for the HQEOC, who can also reach back to others in your office as needed. At this time, we are thinking of a small staff (10 to 15 staff) , to support the Unified Command in Durango. Our most senior Agency leaders are involved with this response and we appreciate your support. Please send your list of folks to Josh Woodyard and myself today. Thanks so much for your support.

Dana S. Tulis
Deputy Office Director

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